

# THE MORAL ADVOCATE.

CONDUCTED BY ELISHA BATES.

*"On Earth peace, good will towards men."*

VOL. I.

EIGHTH MONTH, 1821.

No. 3.

The Moral Advocate, thus far, has met with a favorable reception. The subscription, though not *large*, is respectable, and still increasing.

A greater length of time has elapsed since the publication of the 2d number than was intended. This has happened, in part, in consequence of several small journeys which the Editor has recently taken. As the work is only commencing, and the number of subscribers increasing, it was believed that no serious disadvantage would arise from the delay.

In distributing the Moral Advocate, some have been sent to persons who had not subscribed. Those of the present number which have the word "presented" endorsed on them, are forwarded as a small tribute of respect to the persons to whom they are sent. This is the case with some of the editor's particular friends, and some of the officers of government.

Those to whom it may be sent without this mark, and who have not subscribed, will please to consider it as an invitation for their patronage. But should any of this class, after reading the numbers sent, and reflecting on the subject, not be disposed to countenance my views, they are requested simply to return the numbers sent, wrapped as usual, and directed to "Elisha Bates, Pr. Mount Pleasant, O."

To the Editors of newspapers who have noticed the Moral Advocate, I return my acknowledgements. I make no distinctions, for all that have mentioned it have done it in a manner calculated to make a favorable impression on the minds of their readers. Had nothing but my own feelings been concerned, I should probably have passed over these notices in silence. But there is in them something more important to me than personal considerations. They tend to break down existing prejudices, and prepare the public mind for reason and impartial inquiry.

There is another circumstance attending the patronage of the Moral Advocate, which I am unwilling to pass over in silence. Many of the present subscribers are young men, who have been promoted to military offices, and may be supposed to have looked forward with flattering prospects of some day participating in the applause which is lavished on those who distinguish themselves by military achievements. I accept their patronage as an evidence of candor and liberality, and I re-

ly, with confidence on the impartiality with which they will examine the subject.

Had the military class through past ages directed more of their attention to the reasons which may be advanced against war, had they compared its policy, its maxims, and the enormities which inevitably follow in its train, with the precepts of Christ, and the example of his immediate followers, and finally with the rational means of promoting human happiness, and felt themselves bound by these, as the regulating principles of their conduct—the moral condition of the world would have been widely different from that in which we now find it. It is this class that gives popularity to war—that popularity silences the voice of conviction and the tender sympathies of our nature, and reconciles man to the practice of “inhumanity to man.” Whenever therefore this class shall generally and seriously “turn their thoughts on peace,” the abolition of war will be more than half accomplished.

It too generally happens that a kind of splendor is drawn around the subject of war, by which its real character is concealed from observation, till finally the candidate for fame becomes reconciled to the measures by which that fame is to be obtained; and it is not perhaps very congenial to human nature, while we desire an object, to feel much reluctance at the opportunity of acquiring it.

Such has been the prostitution of talent, and such the popular delusion, that the most shocking scenes of carnage, and the most ungoverned rage have been represented as the consummation of human glory. Witness the following passage from Homer,

High o'er the scene of death Achillis stood,  
All grim with dust, and terrible with blood,  
Yet still insatiate, still with rage on flame,  
Such is the thirst for never dying fame.

Such are the models presented to the youth of successive ages, adorned with all the fascinating charms of poetry, and the more grave eulogies of the historian.

Oblations were formerly offered on the tombs of heroes, and those who had been most successful in the destruction of human life and human happiness, and in trampling on the rights of their fellow men, were supposed to be the most nearly related to the imaginary deities. And with all our light and refinement, some vestiges of this delusion still continues. We speak of the military adventurer, as “immortalizing his name,” and though we do not say he is “a god” we call him “the immortal,” as distinguished from *mere men*.

Let the history of mankind to the present day bear witness what have been the effects of this popular delusion. Nations are plunged into the very vortex of human misery to gratify the base passions of individuals, and the fairest prospects of human happiness are sacrificed at the shrine of a wild ambition.

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*From the Village Record.*

NATIONAL DANGERS

AND

Means of Escape.

The sources of danger will be comprised in the following particulars.

1st—In the Revolutionary war, our country-men avowedly contended for liberty and the rights of man; yet they hold in slavery about half as many human beings as there were white people in the States, when they were declared free and independent. So huge a mass of oppression, injustice and degradation exposed as it is to the sunshine of liberty, cannot fail to ferment; and unless a remedy shall be provided, the fermentation will probably increase till it shall burst all the bands of restraint, and overwhelm the country with distress and horror.

What could have been more shocking to a reflecting mind than to see these States—unmindful of the condition of the blacks, engage a *second time* in war, on account of some violated rights? or to see them sacrifice twenty or thirty thousand of our citizens to revenge alleged wrongs done to some of our seamen, by impressment into a foreign service, while as a nation, we held in absolute slavery nearly a million and a half of our brethren! A righteous God cannot but abhor such inconsistency in a people who are so ready to fight for liberty; nor will He be deaf to the cries of the oppressed. How many thousands of the poor slaves might have been redeemed, transplanted, and placed in comfortable circumstances, by the hundred and twenty millions of dollars expended in the late war! Would not such an act of justice and mercy have contributed a thousand fold more to the safety and *glory* of the nation, than all our boasted exploits of revenge, depredation and havoc?

In another view of this subject, the direful mass of slavery exposes our country to ruin. The Missouri questions have already agitated the states throughout their whole extent; and in some instances, they produced such menacing language as ought not to be countenanced in a civilized country. The progress of light respecting the rights of man, will naturally give rise to other questions, which will demand more of the spirit of conciliation & forbearance than has yet appeared in America. It is infinitely important to the welfare of these States, that the principles and spirit of peace should be as thoroughly and extensively cultivated as the principles

and spirit of liberty; for if the latter shall continue to be cultivated, and the former discarded or neglected, the most horrible consequences will naturally result.

A case may be stated, the occurrence of which it is the ardent desire of the writer to prevent. Suppose then, that the Negroes should be kept in ignorance of the Christian principles of love, forbearance and peace, till, by the hearing of the glory of fighting for the rights of man, they become intoxicated with the popular sentiment—‘Liberty or death,’ and resolve unanimously, ‘to be free or perish in the attempt.’ How shocking must be the consequences to themselves and myriads of others!

How very desirable then it must be, that both slave holders and slaves should have their minds seasonably imbued with sentiments of benevolence and peace, that they may live together in harmony, till the way shall be prepared for the emancipation of the slave, with safety to himself and his master!

2d—The host of prejudices, excited by the wars with Britain, greatly endanger the future peace and welfare of the United States. To the prejudices which originated in the Revolutionary contest, we may justly look for one of the principal causes of the more recent war. By the late war, the prejudices were increased; and these expose the parties to future conflicts. This source of danger is augmented by the imprudent policy which is still pursued in both nations. To illustrate this remark a plain case may be stated:—

A long and bloody quarrel had existed between the two powerful families of A and B—in which each suffered greatly from the other. At length, however, they became weary of the contest—formed a treaty of peace—mutually engaged to refrain from further hostilities, and to treat each other as neighbors and friends. But strong prejudices had been induced by the contest, and their mutual wounds were not soon forgotten. Since their solemn agreement to “bury the hatchet” and to live in peace, the members of each family are often heard reproaching those of the other for past injuries, boasting of their own sanguinary exploits and of the advantages they gained during the conflict. Narratives of what they suffered and what they achieved, are on each side accompanied with bitter sarcasms, adapted to prolong their mutual prejudices, and to transmit them to future generations. These things are done in private circles, at public festivals, in theatrical exhibitions, annual orations, and extensively diffused by newspapers and other periodical publications. In addition to these glaring improprieties, each family has been openly, avowedly and unceasingly preparing for another conflict. Such are the jealousies of each other, and such the mode of preserving peace.

Now what shall be said of such a policy between two neighboring families? Is it not manifestly imprudent, antichristian, barbarous, and in the highest degree reprehensible and dangerous? Would it not be next to impossible for them while pursuing such a course, to make others believe that they really desire

to avoid future wars? Yet such is the policy of christian nations! Such the policy of Great Britain and the United States! While in words they bless God for peace and pray for its continuance, they pursue a direct course to defeat their own prayers and to blast their own enjoyments.

3d—The thirst for military and naval fame, in a large portion of our citizens, is another source of danger to our country. Under any form of government this disease is the bane of liberty and public happiness. In a republic, it is peculiarly dangerous. Its direct tendency is the subversion of republican principles and the destruction of freedom. The more this thirst for sanguinary fame is indulged, the greater is the probability that our country will often engage in needless and ruinous wars,—and that gradual encroachments will be made on the rights of our citizens, till they shall rise against the government, or sink under the hideous weight of a military despotism.

May it not also be truly affirmed that a thirst for martial renown is not merely dangerous to liberty and peace, but in its very nature, offensive to God—immoral, inhumane and even murderous? How is this military glory to be achieved but by exciting wars and filling the earth with violence and devastation? Is he not then a murderer at heart, who desires an opportunity to acquire fame by shedding the blood of his brethren? What shall be said of the monster in human form, who is willing that thousands of his brethren should perish, or millions be made miserable, that he may be called a conqueror or a great general? Is he not an enemy to God, to his country, and to his species? Yet is not this diabolical ambition, the very thing which is extolled and adored by thousands in this country, as well as in Europe? But what better does any people deserve than the curses of war, the chains of despotism, and the vengeance of Heaven, who worship the idol, military glory? And is it possible to conceive a viler passion, either in man or devil, than the love of war?

4th—The natural means which are employed to prevent war and preserve peace, may justly be regarded as a source of danger and ground of alarm. War and peace are as perfectly opposite in nature, as disease and health, or death and life. What then can be more unphilosophical than to suppose that such opposite effects are to be produced by the same cause or means? Yet is it not a fact, that the popular means for preserving peace, are the natural means for producing war?

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Extracts from a SERMON, delivered before the Convention of the Congregational Ministers in Massachusetts, at their annual meeting in Boston, 5 mo. 30, 1821—By ELIJAH PARRISH, D. D.  
“On earth, peace; good will towards men.”—*Luke ii. 14.*

Jesus Christ is the Prince of Peace, the Light of the world, the Saviour of man. Other benefactors have been useful. They have

civilized savage tribes; they have extended science and commerce, and established empires. They have founded churches, banished idols from temples, and extinguished the fire on the altars of human sacrifice. But these benevolent efforts are limited, partial, and transient in their effects. While one side of the globe enjoys the sunshine of science and civilization, the other may be wrapped in darkness and barbarism. Where are the empires, which once promised to be as lasting as their mountains?

The pacific reign of Jesus Christ will be as extensive as the world, and continue as long as the sun and moon shall endure.—Long ages before the advent of the Messiah, patriarchs rejoiced in his day. Prophets and Poets foretold, that the iron age of crimes and tears was passing away, that the golden era was advancing, when peace would descend from heaven, the lion sport with the lamb, and the child play with the serpent.

Sages admonished their disciples, to wait the coming of a superior teacher. Historians announced his expected approach. Angels came down from the throne of God, with the news of his birth. The shepherds heard the music of the song, “Peace on earth and good will towards men.”

**Doctrine:** It is the design of God, by the gospel of Christ, to establish lasting peace through the world.

I presume, that God determines to establish universal peace; because he has promised, that the holiness of the gospel shall be universal.

“All flesh shall come and worship before me, saith the Lord.” “The Lord shall be king over all the earth.” “Upon the bells of the horses shall be holiness to the Lord.” Such extensive piety has not been known. The improvement of mankind will be effected by the gospel. “Grace and truth came by Jesus Christ,” and “in him shall all the families be blest.” The gospel is a system of morals and religion, designed to render men moral and religious. But war annuls precepts of religion, repeals the statutes of morality, confounds right and wrong. While war prevails, the gospel cannot have its full effect.

The gospel requires men to do good. The very business of war is mischief and damage. The gospel requires men to forgive their enemies, Revenge is often the chief design of war. The gospel commands men to feed the poor and comfort the afflicted. The sword drinks the blood of the afflicted, robs and plunders the poor, covers him with wounds, and leaves him half dead. Truth and sincerity are precepts of the gospel, and are reputable in the dwellings of peace; but the warrior glories in executing the work of destruction by artifice, by delusion and stratagem.

While the devout christian sits pondering how he may comfort the sorrowful, enlighten the ignorant, and reform the wicked, the man of blood is contriving and plotting, to vanquish yonder army, to ravage the country, covering the fields with the wounded and the dead.

The gospel forbids murder. Yes, it does. But is not this the grand purpose of war? Why else all the swords, and balls, and engines of death? The combination of ten thousand men, to slay ten thousand, is not less murderous, than the resolution of one man to slay one man. Had Cain been a king, and marched an army to destroy his brother, would this have lessened his guilt?

Did God not include kings when he said, "Thou shalt not kill?" Did he not include their victorious legions? If one man may not commit murder, how many must unite to make it innocent and glorious? May two,—two hundred,—two million? Two million have no more right to murder and destroy, than two individuals.

When pure christianity shall cover the earth, avarice and revenge will be extinguished; ambition will be dethroned, and war expire. The acknowledged design of the christian religion is to induce men to love their enemies, to be like Jesus Christ, who resisted not evil. Is it possible for such a man, to seize his sword, and rush to the hill of battle? Can he bid the artillery blaze? Can he become the angel of death, and scatter plague and pestilence round the globe? When rulers all possess this benevolence, who will proclaim the war? When commanders have this spirit, who will order the battle? When the mass of mankind have the spirit of Christ, where will soldiers be found? Where will you find a man to slay his neighbor?

God has promised his people a period of security and felicity, not compatible with a state of warfare; hence I infer that wars must cease.

"They shall build houses, and inhabit them; they shall plant vineyards, and eat the fruit of them. They shall not build, and another inhabit; they shall not plant, and another eat;—mine elect shall long enjoy the work of their hands. They shall not labor in vain, nor bring forth for trouble. They shall sit every man under his vine, and under his fig tree, and none shall make him afraid."

These and similar passages, need no comment. They describe a state of comfort and necessity, which can never be known, while a banner waves, or a sword glitters in the hands of a warrior.—Does any people enjoy such rest and felicity in the atmosphere of armies? Do those, who are defeated, conquered, fleeing, falling, dying? Do the peaceful inhabitants, alarmed, and driven from their homes?

In the reign of war, no sound is heard, but the riot of victory, the shot of revenge, the sigh of misery, the shriek of horror, the groan of death. The dwellings of war are like those of Egypt, when solid darkness covered the land, when no man could safely leave his home; when death was in every house; terror and dismay in every heart.

Were these sufferings confined to men, to military men, we might be patient; but another portion of the human family, whose sex renders them more defenceless; whose gentle voice cheers the distressed; whose kindness binds up the wounds of an enemy;

whose piety soothes the anguish of his last moment, woman, is often overwhelmed in the miseries of war. How often may it be said, "from the daughter of Zion, all her beauty is departed.—Her tears are on her cheeks. Among all her lovers, she has none to comfort her. "She has fallen by the sword."

History confirms all this. Glance an eye at a single short series. What was the state of the Jews, vanquished and led captive by Vespasian? What was the state of the Romans, overrun and conquered by the barbarians of the north? What has been the condition of those conquerors, during the wars of modern Europe?

The presidents, and confessors, and preceptors in our colleges and seminaries, I congratulate, on the distinguished eminence, which they enjoy. You are forming those minds, which soon may control the public affairs of the country. The science, the wisdom, the eloquence, which you teach, may carry peace and safety from the palace to the cottage, and delight the world with the song of angels. We will not believe it possible for you to neglect one lesson, which may animate your pupils with the love of peace. If they make the attempt, is not their victory certain; will they not be the saviours of their country; must not their power of persuasion, in the court and senate, deliver the world from the havoc and carnage of war?

My brethren in the ministry have prevented my urging, or recommending the work of peace to them. Your repeated votes, your unanimous votes have proclaimed the benevolent sentiments of your hearts, and given a solemn pledge of your attachment to your Saviour, as the Prince of Peace. Still may I not ask myself and you, whether we have done *all* in our power, to promote this precious cause? Have we thoroughly instructed and convinced our own people. Our nobles are from ourselves, and our governor proceeds from the midst of us. Our people direct the affairs of the commonwealth. This commonwealth has a powerful influence in the councils of the nation. If our general government were to say to the troubled sea of war, "Peace, be still," might not the effect surpass all calculation?

Let us not rest, till our people have adopted the heavenly doctrine of peace on earth. Let us not imagine our duty done, while any thing remains, which can possibly be done. Though the fires of war be again lighted up in Christendom, your faith is unshaken. The Prince of Peace will not forget his own name, nor blast the hopes, which rest on the promises of his word.

Had I any mode of access to the kings of the earth, forgetting my humble capacity, I would beseech them to have mercy on the family of man, and stop the effusion of human blood. I would say, Sires, though you are as gods, you must die like men. The wanton destruction of life is murder; the blood of armies may be required at your hands; grasping at more, you may lose what you have. Remember Bajazet, a captive, exhibited as a show in an iron cage. Remember Charles, a prisoner, and executed before his own palace. Behold Napoleon, chained to a rock in the ocean. These are the warriors who made the world tremble.

Yes, my beloved hearers, the work is begun; the work is advancing. Peace societies are established in Europe and America. Mankind are opening their eyes. The sun of righteousness and peace is rising.—The black night of war is passing away. The fountain of peace is breaking forth to refresh the world. Does not the sublime subject command all the affections of your hearts; all the efforts of your power? If ye hold your peace will not the stones cry out? Will not the temples, profaned; the fields, red with blood; the beasts and cattle, destroyed; the lost spirits of a thousand battles, carry in their charge, before the throne of the great Eternal?

Does one man of the human family resist the doctrine of peace? Is one man grieved, hurt, or displeased? I only ask, and I do affectionately ask, such a man,—are not the unavoidable sufferings of mankind, numerous and terrible enough? Can you wish the life of mortals to be shorter, or death more certain, or more dreadful?

Do not consumption, and poverty, and pestilence, and fevers, render the days of man sufficiently uncertain and miserable? Why, then, will you wantonly add all the undescribable horrors of war, to the long catalogue of human woes?

At home, on the bed of down, surrounded by dearest friends, do you wish the agonies of death more terrible?

Go near the bed of a dying parent, or a dying child; behold the agonies of their last hours. Are not their anguish and misery enough for them to endure, or for you to witness?

Would you wish they were far off on the ocean, to meet a violent death, without a friend to soothe the last moment; without the consoling offices of religion? Would you tear them from their pillows, and send them to expire on the field of battle?

Do you, indeed, wish to multiply the sufferings of life, and aggravate the horrors of dissolution? Do you wish the tears of the widow to flow with keener anguish? Do you wish the shriek of the orphan more dismal? Do you wish the king of terrors, a wider range, a more rapid march, a more frightful appearance? Do you wish more domestic sorrows, more public calamities, more sighs and groans to load the air, more tears to water the world?

If not, then implore and beseech the God of Peace, to stop the fury of war; enrol your names among the friends of peace, and join in the song of angels; Glory to God in the highest; on earth, peace, and good will towards men."

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#### EXTRACTS OF AN ADDRESS,

Delivered at the 5th anniversary of the Massachusetts Peace Society,  
by JOSIAH QUINCY.

The records of history embrace a period of nearly six thousand years, abounding in war, in battle and slaughter, with occasional and local intervals of short and feverish peace; in which, nations seem to stay rather than rest; stopping to pant, and to gain breath for new combats, rather than form a business state of permanent tranquility. In whatever condition, on whatever soil, under whatever sky we contemplate man; be he savage, or be he civilized, ignorant, or enlightened; groping amid the darkness of nature, or rejoicing in the lamp of reveal-

ed truth: be it island or continent; sea, or shore; wherever multitudes of men are, or have been, there will be found traces of human blood, shed in inhuman strife; there will be found death scattered among the races of men, by the hand of—brother man!

It is now more than eighteen hundred years, since “the author and finisher of our faith,” came, ushered in by an angelic host, proclaiming peace on earth, and good will among men; since the Son of God descended from the right hand of the Father, for the great, and almost special purpose of enforcing the voice of reason, by the solemn sanction of the command of the most high, that “men love one another.” Yet, strange to tell! wonderful! passing wonderful! scarce three centuries had elapsed from his advent, before the cross, the emblem of his peace and his love, became the standard and escutcheon of wars as fierce and as bloody, as the crescent, the emblem of hate and of strife, ever waged. And, in these latter days, notwithstanding science has, now, for almost four centuries, been pouring its mild and radiant stream of light into every sense and upon every land, yet, as it were but yesterday, sixty thousand men, dead on the field of Waterloo, terminated, probably only for a short, passing period, a war of twenty years’ continuance, of which, at the least estimate, two millions of human beings were the victims!

Such is the scene, which the mind seizes, as it casts a bird’s eye glance, along the horizon of human history.

In this actual condition of our nature, you, Mr. President, and gentlemen of the Massachusetts Peace Society, have united to try the strength of public associations against this natural tendency of our race to war; to attempt by combination and co operative exertion of the mild, the virtuous, the religious, and humane, to calm this turbulent scene; to limit the causes and evils, or, if heaven so please, annihilate altogether the influence, of that propensity to mutual destruction, so universal and scarcely less than innate, in our species.

Under what auspices? With what hopes? From what circumstances in the social, moral, and intellectual condition of man do your endeavors derive encouragement, or even countenance? Is man less selfish, less craving, less ambitious, less vindictive now than formerly? If all the old ingredients, which compose human nature, are still boiling in the crucible, what reason to expect that future experiments will materially differ from the past? If in every nation, under heaven, there be, at this day, ten thousand more swords than ploughshares; more spears, than pruning hooks; if every where, war be taught as a science, and success in it be the theme of the sober applause of the few, and of the mad exultation of the many; on what ground rests the opinion that any, much more that every, nation of the earth will abandon a system, which, from the beginning of the world, has been, and to this hour is, among all nations, a chief object of pursuit, and the principal foundation of pride and of glory? If all, or at least, if the greater part of nations do not concur, in abandoning this system, can any one nation abandon it safely?

These are questions which the spirit of patriotism asks, half doubting, half consenting, as it ponders purposes such as yours, noble, generous, elevated, in their conception and principle, yet apparently repugnant to the known propensities of our species, and contravening the established course of human conduct in every period of history.

These are questions, which the spirit of war asks, half fearing, half sneering, as it stands, like its great progenitor, "with nostril wide, upturned, into the murky air, scenting its prey."

To some of these questions I shall attempt an answer, and to all of them allude, while on this occasion. I consider the causes of war among nations, and the circumstances in the condition of the civilized world, which afford better ground of hope, than ever before existed, of greatly limiting its ravages, and even of restraining them altogether; and thence offer to you, gentlemen, some encouragements for perseverance, and to your fellow citizens some reasons for cooperating in the objects and labors of your society.

"In all experience and stories," says the great Bacon, Lord Verulam, "you shall find but three things that prepare and dispose an estate for war, the ambition of the governors, a state of soldiery professed, and the hard means to live among many subjects; whereof the last is the most forcible and the most constant."

In reference to these causes of war, it may be asserted, without any of that overwhelming zeal which many call enthusiasm, and independent of the character, or the promises of our religion, that three facts exist in the nature of war and in the condition of society, which give rational ground for the opinion that they will be gradually limited in their influence, and may be made ultimately to cease altogether.

The first fact is, that man is a being capable of moral and intellectual improvement; and that this is true both of the individual and of the species.

The second fact is, that the intellectual and moral improvement of our species has already advanced in this very direction and on this very subject; wars being, in fact far less bloody, and conducted on principles, more mild than was the approved usage, in former periods of society.

The third fact is, that the intellectual and moral influences, which have arisen and are extending themselves in the world, necessarily lead to a favorable change in all the enumerated causes, on which the existence of war depends:—repressing the ambition of rulers; diminishing the influence of the soldiery; and ameliorating the condition of the multitude.

As to the first fact, I shall not undertake to prove that man is a being capable of intellectual and moral improvement; and that this is true both of the individual and the species. It is the voice of all history and all experience.

Nor will the second fact require much more elucidation. A very short recapitulation of the temper and principles, prevalent in war, at former times, will make its truth apparent. The earliest record of wars is that of the Isralites, about fifteen centuries before the Christian era. On taking a city, they destroyed utterly men, women, and little ones.—Sometimes the people were made tributaries and slaves. At others, nothing that breathed was left alive. Notwithstanding this, it does not appear, that there was any thing peculiarly savage in the character of the Isralites. Although they acted under a sense of the divine command; yet there can be no doubt that these principles, on which they conducted their wars, were perfectly in unison with the general rules

of warfare, recognized by all nations, at that period of society.

Homer, who, next to the sacred writers, is deemed to give authentic accounts of the manners of the earliest times, witnesses that our species had made no material moral improvement in the principles regulating the state of war, during the three or four centuries, which elapsed between the invasion of Canaan and the siege of Troy. Chieftains steal into each others camps, and massacre the sleeping, in cold blood. Captives are immolated to the manes of Patroclus. The dead body of Hector is dragged in triumph about the walls of his native city, in the sight of his bereaved parents, consort and countrymen.

During the entire period of ancient history, the right of war included the right of extermination, as inherent in the conqueror, and in the vanquished there inhered no rights; neither of life, or liberty, or property. The form of ancient society made no difference in the efficacy and universality of this principle. Kings, Emperors, Consuls, were all occupied in one chief concern; that of training and flesching their followers to the sport of destroying the human species, under the name of enemies; and for this purpose, enlarged on all sides, and to their utmost extent, the rights of conquest. Republics were, in this respect, no better than monarchies, and precisely for the same reason; because in those, as in these, the many were needy and ignorant; and the few, cunning, ambitious, and interested.

It is necessary only to state these facts to convince every mind that war is conducted in a better temper and is of a milder aspect, in the present, than in former times. It is, however, important, and will be illustrative of the general scope of my argument, to remark, that the amelioration, effected in the conduct of wars, has chiefly, resulted from the improved intellectual and moral condition of mankind, rather than directly from the military class itself. Almost all the amelioration in the art of war may be traced to the effect of domestic influence upon the warrior; his regard for character at home; and the fear of incurring contempt and shame among his own countrymen. As far as we can form any opinion of the conduct of European armies, at the present day, when in the field, they are nearly, if not quite, as wanton and licentious, as formerly. Love of plunder is as strong in the breasts of modern, as it was in those of ancient warriors. They have no more shame now, than in former times, at growing rich on the spoils of the conquered; but think it, as much as ever, a great and glorious matter, if going to war beggars, they return from it nabobs. The chief restraint, which has been laid, in modern days, on the spirit of ancient warfare, may be traced to the improved moral sense, and the direct moral influence of men in civil life. This moral sense is not sufficiently elevated to be offended at the bringing home, by military men, of gold, silver and merchandise, plundered from enemies. And accordingly, the military, at the present day, grasp at these with avidity.

But the moral sense of the period does not at all entail, in perpetuity the miseries of conquest upon the persons of the vanquished. In consequence, military men bring home no more captive females or mistresses and servants; nor do they reduce vanquished males to the condition of slaves for life;—except indeed they happen to be black; a case, for which the moral sense of the age has not as yet, every where provided.

Another effect of this code has been that, under this influence fighting and killing one another, is, no longer, even in the field, a matter of blood, but a matter of business. Military men are cool, when they contract to do the work of slaughter; and as cool as nature and nerve will permit, when they are performing the task. Under this law ancient friends, when engaged in opposite service, meet & endeavor to kill one another, without any impeachment of mutual love and friendship. If both survive, their harmony is unbroken, by this mutual attempt on each other's life. If either fall, the survivor, perhaps, builds a monument to his memory, and mourns for him as a brother. Military men, and those who occasionally adopt their practice, in civil life, no longer slay one another, in a passion. And though their business is, as much as ever, to stab, to shoot, and to kill, yet this is not done with savage looks and barbarous rites, but with a fashionable air, and in a gentlemanly way. They meet; are measured and are civil in their deportment; they kill; or are killed.—When the life of either is gone, the affair is over. They do not, as formerly, deny honorable burial. They cut off no hands, or ears. They take no scalps. They thrust no thongs through the feet of the dead, and drag the dead body in triumph at their chariot wheels.

These advances, although not great, are yet somewhat. As far as they extend, they indicate a degree of moral improvement; some mitigation of the calamities of war; some diminution of its causes and its inducements, proceeding from the military class itself. But the great and only sure ground of hope of amelioration, in relation to these objects, rests on the improving moral and intellectual condition of mankind.

The third and most material fact to be illustrated was, that such intellectual and moral influences are extending themselves, in society; and necessarily lead to a change, in all the enumerated causes, on which the existence of war depends.

But first, is it true, that moral and intellectual influences are extending themselves, in society. Is it true that we enjoy a brighter intellectual day, and a purer moral sky, than anterior periods of the world? Can any ask: dare any ask; whose hands hold the page of history, and whose minds are capable of receiving impressions from surrounding objects?

*(To be Continued.)*

## CRIMINAL LAWS.

The following is the evidence given before the Committee of the House of Commons on the Criminal Laws:

James Harmer, Esq. called in, and examined.

You are a Solicitor, residing in Hatton-Garden? I am.

You have had considerable experience in crown practice at the Old Bailey? I have.

For how many years? Twenty years, within a few months, for myself; and upwards of three years previous to that time in the office of Messrs. Fletcher and Wright, to whom I was last articled.

Have you any objections to make, with respect to the effect of capital punishment? I have; first, as to forgery; it appears to me that the punishment of death has no tendency to prevent this crime. I have, in many instances, known prosecutors decline proceeding against offenders, because the punishment is so severe. Instances have come within my knowledge, of bankers and opulent individuals, who, rather than take away the life of a fellow-creature, compromised with the delinquent. Instances have occurred of a prosecutors pretending to have his pocket picked of the forged instrument; in other cases prosecutors have destroyed, or refused to produce it, and when they have so refused, they have stated publicly that it was because the person's life was in jeopardy.—I will relate a recent circumstance, that occurred under my observation at the Old Bailey. A person through whose hands a forged bill had passed, and whose appearance upon the trial was requisite to keep up the necessary chain of evidence, kept out of the way to prevent the conviction of the prisoner; it was a private bill of exchange. I also know another recent instance, where some private individuals, after the commitment of a prisoner, raised a thousand pounds for the purpose of satisfying some forged bills of exchange; and they declared, and I have good reason to know the fact, that if the punishment had been any thing short of death, they would not have advanced a farthing, because he was a man whose conduct had been very disgraceful—but they were friends to the man's family, and wished to spare them the mortification and disgrace of a relative being executed, and therefore stepped forward and subscribed the before mentioned sum. I have frequently seen persons withhold their testimony, even when under the solemn obligation of an oath to speak the whole truth; because they were aware that their testimony, if given to its full extent, would have bro't the guilt home to the parties accused; and they have therefore kept back a material part of their testimony. In all capital indictments, with the exception of murder and some other heinous offences, I have often observed prosecutors show great reluctance to persevere, frequently forfeiting their recognizance; and indeed I have, on many occasions, been consulted by prosecutors as to the consequences of refusing to conform to their recognizances, that is to appear and prosecute the prisoner.

When you speak of the cases of murder and other heinous offences, do you mean offences, accompanied with violence to the person, or which are likely in their consequence to inflict serious injury?—Certainly; those are the offences to which I allude; I know that many persons who are summoned to serve as jurymen at the Old Bailey, have the greatest disinclination to perform the duty on account of the distress that would be done to their feelings in consigning so many of their fellow-creatures to death, as they must now necessarily do, if serving throughout a session; and I have heard of some who have bribed the summoning officer to put them at the bottom list, or keep them out altogether, so as to prevent them from discharging this painful duty; and the instances I may say are innumerable, within my own observation, of jurymen giving verdicts, in capital cases, in favor of the prisoner, directly contrary to the evidence. I have seen acquittals in fogery, where the verdict has excited the astonishment of every one in Court, because the guilt appeared unequivocal, and the acquittal could only be attributed to a strong feeling of sympathy and humanity in the jury to save a fellow-creature from certain death. The old professed thieves are aware of this sympathy, and are desirous of being tried rather on capital indictments, than otherwise; it has frequently happened to myself in my communications with them, that they have expressed a wish that they might be indicted capitally, because here was a greater chance of escape. In the course of my experience, I have found that the punishment of death has no terror upon a common thief; indeed it is much more the subject of ridicule among them, than of serious deliberation; their common expressions among themselves, used to be, "such a one is to be twisted," and now it is, "such a one is to be topt."—The certain approach of an ignominious death does not seem to operate upon them, for after the warrant has come down for their execution, I have seen them treat it with levity. I once saw a man, for whom I had been concerned, the day before his execution, and on my offering him condolence, and expressing my sorrow at his situation, he replied with an air of indifference, "Players of bowls must expect rubbers." Another man I heard say, that it was only a kick and a struggle, and then it was all over; and that if he was kept hanging for more than an hour, he should leave directions for an action to be brought against the sheriffs and others; and others I have heard state, that they should kick Jack Ketch in their last moments. I have seen some of the last separations of persons about to be executed, with their friends, where there was nothing of solemnity in it, and it was more like parting for a country journey than taking their last farewell. I heard one man say (in taking a glass of wine) to his companion, who was to suffer next morning. "Well, here's luck." The fate of one set of culprits, in some instances, had no effect even on those who were next to be reported; they play at ball, and pass their jokes, as if nothing was the matter. I mention these circumstances to show what

little fear common thieves entertain of capital punishment; and that so far from being arrested in their wicked courses, by the distant possibility of its infliction, they are not even intimidated at its certainty; and the present numerous enactments to take away life appear to me wholly ineffectual. But there are punishments which I am convinced a thief would dread, and which, if steadily pursued, might have the most salutary effect—namely, a course of discipline totally reversing his former habits. Idleness is one of the prominent characteristics of a professed thief—put him to labor. Debauchery is another quality, abstinence is its opposite—apply it. Dissipated company is a thing they indulge in—they ought therefore to experience solitude.—They are accustomed to uncontrolled liberty of action—I would consequently impose restraint and decorum; and were these suggestions put in practice, I have no doubt we should find a considerable reduction in the number of offenders; I say this, because I have very often heard thieves express their great dislike and dread of being sent to the House of Correction, or to hulks, where they would be obliged to labor, and be kept under restraint; but I never heard one say he was afraid of being hanged. Formerly before Newgate was under the regulations that it now is, I could always tell an old thief from the person who had for the first time committed a crime; the novice would shudder at the idea of being sent to Newgate, but the old thief would request that he might be committed at once to that prison, by the magistrate, because he could there associate with his companions, \* \* \*

\* \* \* \* \* but since the late regulations, certainly, I have not heard of such applications being made by thieves, because now they are as much restrained and kept in order in Newgate, as they are in other prisons. From my observation, I am quite certain a thief cannot bear the idea of being kept under subordination. As to transportation, I with deference think it ought not to be adopted, except for incorrigible offenders, and then it ought to be for life.; if it is for seven years, the novelty of the thing and the prospect of returning to their friends and associates, reconciles offenders to it, so that in fact, they consider it no punishment; and when this sentence is passed on men, they frequently say, "Thank you my Lord." Indeed this is a common expression, used every session by prisoners, when sentenced to seven years transportation.

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### THE TERMS.

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